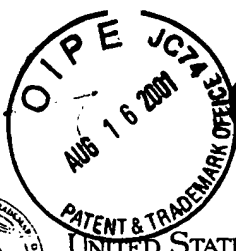


#3



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

| APPLICATION NUMBER | FILING/RECEIPT DATE | FIRST NAMED APPLICANT | ATTORNEY DOCKET NUMBER |
|--------------------|---------------------|-----------------------|------------------------|
| 09/803,131 | 03/09/2001 | David M. Mayes | TXY-001.01 |

CONFIRMATION NO. 8948

025181
FOLEY, HOAG & ELIOT, LLP
PATENT GROUP
ONE POST OFFICE SQUARE
BOSTON, MA 02109

FORMALITIES LETTER



OC000000006101642

COPY

Date Mailed: 05/22/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 130.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
 - more than one figure is present and each figure is not labeled "Fig." with a consecutive Arabic numeral (1, 2, etc.) or an Arabic numeral and capital letter in the English alphabet (A, B, etc.)(see 37 CFR 1.84(u)(1));

*A copy of this notice **MUST** be returned with the reply.*

08/20/2001 HBERHE

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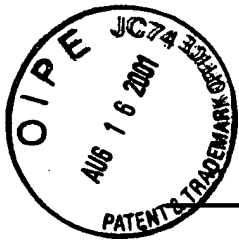
Scalio

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

09/26/2011 08:15:01



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the application of: Charles W. Von Rosenberg

Serial No.: 09/803,131

Filed: March 9, 2001

For: Optical Probes and Methods for Spectral
Analysis

Attorney Docket No.: TXY-001.01

Group Art Unit: 1651

Examiner: Not Assigned

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION**

Dear Sir:

This is in response to the Notice to File Missing Parts of Nonprovisional Application dated May 22, 2001. A separate request for a One-Month Extension of Time is filed concurrently herewith.

Applicant's attorney submits herewith the executed Declaration for Patent Application for the above-identified patent application. Enclosed is a check in the amount of \$ 240.00 to cover the Surcharge and One-Month Extension of Time based on Large Entity Status. A copy of the Notice is also enclosed.

Please charge any underpayments or credit any overpayments to our Deposit

Account No. 06-1448. For this purpose, a duplicate of this document is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Box: Missing Parts, Washington, D.C. 20231 on:

8/14/01
Date

[Signature]
Robert King

Respectfully submitted,

Customer No. 25181

Foley Hoag & Eliot LLP

[Signature]

David A. Lane, Jr., Esq.

Reg. No. 39,261

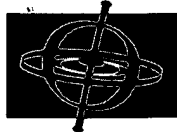
Attorney for Applicant

One Post Office Square

Boston, MA 02109

Tel.: (617) 832-1000

Dated: August 14, 2001



**FOLEY
HOAG**
ATTORNEYS AT LAW



04co 8/17/01
Set for \$

David A. Lane, Jr.
617.832.1197
dlane@foleyhoag.com

August 14, 2001

Box: Missing Parts
Commissioner for Patents
Washington, D.C. 20231

Re: U.S. Patent Application Serial No. 09/803,131
Title: Optical Probes and Methods for Spectral Analysis
Applicant: Charles W. Von Rosenberg
Filed: March 9, 2001
Our Ref No.: TXY-001.01

Dear Sir:

I enclose herewith for filing in the above-identified application the following:

1. Response to Notice to File Missing Parts (in duplicate);
2. a copy of Notice to File Missing Parts;
3. Request for One-Month Extension of Time (in duplicate);
4. check in the amount of \$ 240.00;
5. an executed Declaration for Patent Application; and
6. Return Postcard.

Please charge any necessary fees, or credit any overpayments, to our Deposit Account No. 06-1448. The undersigned requests any extensions of time necessary to respond. A duplicate of this sheet is enclosed.

I hereby certify that this correspondence is deposited with the United States Postal Service as first class mail in an envelope addressed to: Box: Missing Parts, Commissioner for Patents, Washington, D.C. 20231 on:

8/14/01

Date

Robert King

Respectfully submitted,
Foley Hoag & Eliot LLP
Customer No. 25,181

David A. Lane, Jr., Esq.
Reg. No. 39,261
Attorney for Applicant

20/468290.1